

REMARKS

Claim 1 has been amended to incorporate the features of original Claim 2. Claim 2 is now cancelled to reduce the issues for Appeal. Claims 1, 3, and 5-7 remain in the case.

Claims 1-3, 5 and 7 were rejected under 35 USC 102b as being anticipated by Gilson et al (U.S. Patent No. 6,336,934). Claim 6 was rejected under 35 USC 103(a) as being unpatentable over Gilson et al as applied to Claim 5 and further in view of Greenhalgh (U.S. Patent No. 6,375,670).

The subject matter in Claim 1, which comprises "the meshes are included toward the outer circumference of the filter body in a lying posture relative to the blood current, and the mesh size of the meshed material decreases toward the central part of the concave which is the farther end direction". The relationship between mesh inclination and mesh size produces the large effect of easily ensuring the stream of the fluid by the meshes of the outer circumference of the filter together with securely capturing small pieces of embolic material. The cited references of Gilson and Greenhalgh do not show, disclose or teach the above features of the present invention.

The Examiner states that the previous amendment to Claim 1 only added product-by-process limitations. However the product in Claim 1 requires the following features: 1) support wires extending radially in the direction toward the closed farther end and in the direction of the outer diameter; 2) meshes defined by the mesh state knit into a concave shape facing the support wire and inclined toward the outer circumference of the filter body in a lying posture relative to the blood current. These are features of the wire for insertion into intravital tracts that are not shown or disclosed in the cited references.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this

Amendment does not add any new subject matter to the application.

Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places this application in suitable condition for allowance; notice of which is requested.

If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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